

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL KLEEBERG, et al.,

Plaintiffs,

-against-

LESTER EBER, et al.,

Defendants.

X
KATHARINE H. PARKER, United States Magistrate Judge:

On December 19, 2018, the parties appeared before this Court for a case management conference. As discussed at the conference, the Court makes the following rulings:

Plaintiffs' Pending Motion to Compel Privileged Documents:

- By December 28, 2018, Plaintiffs shall provide a list of 100 documents to the Eber Defendants from the Eber Defendants' privilege logs for the Court to review *in camera*.
- By January 10, 2019, the Eber Defendants shall prepare a privilege log for the 100 documents identified by Plaintiffs. The Eber Defendants' privilege log shall be in Microsoft Excel format and contain embedded hyperlinks to each document in native format. The privilege log shall contain the following columns indicating: author of the document with title and role (i.e., indicating whether person is acting in personal capacity, officer capacity for a specific entity, etc.), sender of the document with title and role, recipient(s) with titles and roles, subject matter, privilege(s) asserted, bases for assertion sufficient for the Court to evaluate the validity of the privilege assertion, Plaintiffs' specified challenge to the privilege designation, and a notes column with any other information that the Eber Defendants wish to provide the Court about the document. The Eber Defendants shall make clear the entity or person who is claiming the attorney-client privilege and the entity or person paying the attorney for the legal advice. For example, they shall make clear whether the advice was sought by Lester Eber in his personal capacity, in his capacity as an officer of Alexbay or some other capacity with respect to another entity/trust. The Eber Defendants shall provide the privilege log to the Court by e-mail with copies of the 100 documents in native format. The Eber Defendants shall also provide a copy of the privilege log to Plaintiffs without

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16-CV-9517 (LAK) (KHP)

ORDER

the hyperlinks, and with redactions of any information included in the log that may reveal privileged information.

Status Letter: By **February 1, 2019**, the parties shall file a joint letter updating the Court as to the status of discovery and whether there are any remaining discovery disputes.

Discovery Schedule Extension: Fact discovery shall be completed by **March 29, 2019**. Expert discovery shall be completed by **May 31, 2019**.

Case Management Conference: A case management conference is hereby scheduled for **Tuesday, March 12, 2019 at 2:00 p.m.** in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York.

SO ORDERED.

DATED: New York, New York
December 19, 2018



KATHARINE H. PARKER
United States Magistrate Judge